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Filing date: **06/28/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92054023
Party	Defendant Syeira, Inc.
Correspondence Address	SYEIRA INC 920 S OLIVE STREET LOS ANGELES, CA 90015 UNITED STATES
Submission	Answer
Filer's Name	Maria Janossy
Filer's e-mail	mariajanossy@yahoo.com
Signature	/Maria Janossy/
Date	06/28/2011
Attachments	Trademark Answer to Petition to Cancel.pdf ( 3 pages )(66065 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

IN THE MATTER OF TRADEMARK REGISTRATION NO.: 3848193  
TRADEMARK: MARISKA  
REGISTERED: September 4, 2010

MARISKA'S DESIGNS,	)	
Petitioner,	)	
v.	)	Cancellation No. 92054023
SYEIRA, INC.	)	
Registrant.	)	
_____	)	

**ANSWER TO PETITION TO CANCEL**

Registrant SYEIRA, INC. (Registrant), having an address at 920 S. Olive Street, Los Angeles, CA 90015, United States, hereby answers the Petition to Cancel U.S. Trademark Registration No. 3848193.

1. Registrant denies ALLEGATION Number 1 that Petitioner has used MARISKA in interstate commerce in connection with jewelry continuously and exclusively since 2001. Petitioner has not produced or entered into evidence any exhibits, documents, writings or other memoranda to prove the contentions alleged. If it is true that Petitioner has been using the mark MARISKA since 2001, Petitioner may have been infringing upon another registered trademark referenced by Serial No. 76151746 from the period commencing on July 2, 2002 and ending on

September 25, 2005.

2. Registrant denies ALLEGATION Number 2 that Petitioner filed a fictitious business name application on April 2, 2004 for Mariska's Designs in Martinez, California. Registrant was not served with any documents corroborating this allegation.
3. Registrant admits ALLEGATION Number 3.
4. Registrant admits ALLEGATION Number 4.
5. Registrant admits ALLEGATION Number 5.
6. Registrant denies ALLEGATION Number 6 that Registrant began using MARISKA after the date Petitioner began using MARISKA'S DESIGNS, and that Petitioner is the senior user. Petitioner has not produced or entered into evidence any exhibits, documents, writings or other memoranda to prove the contentions alleged.
7. Registrant denies ALLEGATION Number 7 that Petitioner has been and continues to be damaged by the U.S. Trademark Registration No. 3848193.

WHEREFORE, Registrant requests that the TTAB dismiss the Petition to Cancel U.S. Trademark Registration No. 3848193.

Respectfully submitted this 28<sup>th</sup> day of June, 2011.

LAW OFFICES OF MARIA JANOSSY

s/Maria Janossy

MARIA JANOSSY

Attorney for Registrant

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**PROOF OF SERVICE BY MAIL**

STATE OF CALIFORNIA            )  
  )  
COUNTY OF LOS ANGELES        )

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action. My business address is 920 S. Olive Street, Los Angeles, California 90012.

On June 28, 2011, I served the following document described as Answer to Petition to Cancel on the parties in this action by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail at Los Angeles, California addressed as follows:

Maria Crimi Speth  
Jaburg & Wilk, P.C.  
3200 N. Central Avenue Suite 2000  
Phoenix, AZ 85012

(Federal) I declare under penalty of perjury under the laws of the United State of America that the foregoing is true and correct. Executed on June 28, 2011 at Los Angeles, California.

s/Maria Janossy  
Maria Janossy